

In re Patent Application of:
CAWOOD ET AL.
Serial No. 10/781,317
Filed: **FEBRUARY 18, 2004**

REMARKS

The Examiner is thanked for the thorough examination of the present application. Applicants' detailed response follows, and it is believed that all of the claims are patentable over the prior art.

I. Notification of Similar Patent Application

Applicants hereby notify the Examiner of U.S. Patent Application Serial No. 10/722,351 to Yaworski et al. and filed on November 25, 2003 that includes at least independent Claims 32 and 42 currently indicated as allowable. These allowed claims from the Yaworski et al. '351 application are directed to subject matter similar to new Claims 93 and 103 included with this amendment. Other claims remain rejected in the Yaworski et al. '351 application, with the last paper being available through PAIR being a response to an Official Action from Yaworski et al. dated November 22, 2005.

The Yaworski et al. '351 application is a continuation-in-part application from its earlier filed parent (Serial No. 10/324,817 filed December 20, 2002). The Yaworski et al. '351 application adds the new subject matter of a second seal as seen in new FIGS. 12-14. (See, for example, reference numeral 491 in FIGS. 11 and 12, and 591 in FIG. 14). Indeed, this second seal is the subject matter relating to allowed Claims 32 and 42. Thus, the Yaworski et al. '351 application claims have an effective filing date of November 25, 2003.

The present application has an effective filing date based upon two provisional applications: Serial No. 60/448,019 filed February 18, 2003, and Serial No. 60/499,144

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filed on and August 29, 2003; both predating the Yaworski et al. '351 application filing date.

Applicants also respectfully submit that at least Claims 32 and 42 of the Yaworski et al. patent are believed anticipated by the Mucci patent (U.S. Patent No. 4,192,569) as cited by the Examiner in the present application. The sleeve of the Yaworski et al. '351 application claims is met by the bellows of Mucci. Nevertheless, Applicants reserve the right to suggest an interference with the Yaworski et al. '351 application.

II. The New Independent Claims

New independent Claim 79 is directed to an electrical connector for at least one electrical cable end comprising a conductor and an insulating jacket thereover. The electrical connector comprises a conductive body having at least one conductor receiving passageway therein to receive the conductor of the at least one cable end, and at least one insulating boot associated with the at least one conductor receiving passageway. The insulating boot comprises an insulating tube having a proximal portion adjacent the conductive body and a distal portion spaced from the proximal portion, and a first penetrable seal fixed to the insulating tube at the distal portion thereof.

Moreover, new Claim 79 recites a second penetrable seal fixed to the insulating tube at the proximal portion thereof. As noted in greater detail below, this fixed arrangement is in sharp contrast the axially movable bellows mounting arrangement for the second seal as taught in the Mucci patent.

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Claim 79 further recites that the first and second penetrable seals are each configured to accommodate different sized cable ends therethrough, and that the first and second penetrable seals define a sealant material-receiving chamber therebetween. In addition, new Claim 79 also recites a sealant material within the sealant-receiving chamber defined between the first and second penetrable seals of the insulating tube.

New independent Claim 93 is also directed to a similar electrical connector wherein the second penetrable seal comprises a tubular sidewall within the insulating tube, and a seal layer carried by the tubular sidewall. This is shown in FIGS. 11A and 11B and described at paragraph [0052] in the specification. New independent Claim 103 is a method counterpart to Claim 93.

III. The Claims Are Patentable

The Examiner rejected the prior claims over McGrane, Hills et al., and/or Mucci taken alone or in various combinations. Applicants submit that new Claims 79-112 clearly define over the cited references, and in view of the following remarks, favorable reconsideration of the rejections under 35 U.S.C. §102 and §103 is requested.

Applicants note that Mucci discloses, at col. 2, lines 2-6, that the second seal or diaphragm is:

"connected to a bellows enabling movement of the diaphragm axially of the connector to accommodate displacement of the viscous liquid in the inner chamber when the coaxial cable is introduced into the connector for connection." (Emphasis added).

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In other words, Mucci teaches away from the claimed invention wherein the second seal does not move "axially of the connector" and instead, when assembled and in use, is "fixed to said insulating tube."

The Examiner asserted that the combination of McGrane, Hills et al., and Mucci met the features of the prior claims. McGrane discloses an electrical connector having a conductive body, but fails to disclose the first and second seals as in the claimed invention.

The Examiner cited the Hills et al. reference as teaching the use of an insulation boot with a seal. The Hills et al. patent discloses three embodiments of a gel-filled closure for protecting a telecommunications terminal, yet permit insertion of a test probe to sense a signal on the terminal. The three embodiments disclosed in Hills et al. include:

- (1) a probe penetrable layer including reduced-thickness slits intersecting at a center point to form a series of adjacent pie-slice shaped sections;
- (2) a probe penetrable layer just having a reduced thickness; and
- (3) a probe penetrable opening wherein underlying encapsulant provides resealing after withdrawal of the probe.

McGrane et al. is directed to an electrical connector for power cables to be securely connected together for power distribution. In contrast, Hills et al. is directed to a low-voltage telecommunications terminal to permit a probe to be temporarily connected and shortly thereafter removed. Applicants respectfully submit that these two references are

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directed to quite different technologies and to quite different problems.

Indeed, it is submitted that a hypothetical combination of McGrane and Hills et al. would produce the device of McGrane with an insulating boot having a small seal for temporary entry of a test probe. Moreover, it is unlikely that the low voltage (telecommunication) test probe seal of Hills et al. would ever be combined with the high voltage (power cable) connector of McGrane - because the references are for different applications, different voltages, and to address different problems. Instead, Applicants submit that the Examiner's selective combination of McGrane and Hills et al. is improperly based on hindsight gleaned from Applicants' own specification used as a road map to assemble disjoint pieces of unrelated prior art references.

Furthermore, the Examiner relied upon the Mucci reference as teaching the use of first and second seals. The Examiner the asserts that it would have been obvious to modify the hypothetical combination of McGrane and Hills et al. (as discussed above) to also include a second seal of the insulating tube and being penetrable upon insertion of the cable end therethrough. The critical teaching away of Mucci has been discussion above, and neither McGrane nor Hills et al. can undo this critical teaching away.

There is simply no teaching or suggestion in the cited references to provide the combination of features as claimed. Accordingly, for at least the reasons given above, Applicants maintain that the cited references do not disclose or fairly suggest the invention as set forth in independent Claims 79, 93 and 103. Furthermore, no proper modification of

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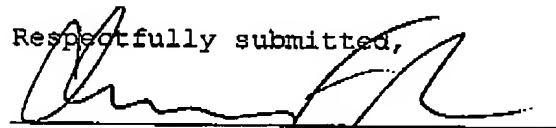
the teachings of these references could result in the invention as claimed.

It is submitted that the independent claims are patentable over the prior art. In view of the patentability of the independent claims, it is submitted that their dependent claims, which recite yet further distinguishing features are also patentable over the cited references for at least the reasons set forth above. Accordingly, these dependent claims require no further discussion herein.

IV. Conclusions

In view of the amendments to the claims and the arguments presented herein, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. If any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 21st day of December, 2005.

